

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

v.

SENTENCING MINUTES

STEPHEN E SMITH

Case No. 20-cr-0196-bhl-2

HONORABLE BRETT H. LUDWIG presiding
Proceeding Held: 7/14/2021
Deputy Clerk: Kristine B.
(Recorded by Liberty Player)

Time Called: 10:09 a.m.
Time Concluded: 11:27 a.m.

Appearances:

UNITED STATES OF AMERICA by: Laura Connelly
STEPHEN E SMITH in person and by: Craig S Powell
US PROBATION OFFICE by: Daniel E Dragolovich

- Objections/corrections to factual statements in PSR by Government and Defendant: Government disagrees solely with the apportionment of restitution in the PSR. Defendant opposes the factual statements regarding his involvement with the loans related to Defendant Davis (2) and Defendant Hamilton (4).
- The parties have no objections to the application of the guidelines in the PSR.
- The adopts the factual statements and guideline application, subject to the objections. The guideline calculations and range are not affected.

- The government presents sentencing argument: term of imprisonment at low end of sentencing guideline range, 2 years SR, and \$730,000 restitution.
- The defendant presents sentencing argument: 6 to 12 months imprisonment and \$397,500 restitution, minus offset.
- Defendant exercises right of allocution.
 - Robert Smith makes a statement in support of the defendant.
- The court imposes sentence.
- The government dismisses count(s) 4, 10, 13, 14
- Defendant advised of appeal rights.

SENTENCE IMPOSED:

Imprisonment: 36 Months as to Count 2 of the Indictment

Supervised Release: 2 Years as to Count 2 of the Indictment

MONETARY PENALTIES

Special Assessment: \$ 100 due immediately

Fine: \$ fine waived

Restitution: \$ 397,500 offsets credited separately

JOINT AND SEVERAL PAYMENTS

Restitution is joint and several with Stephen Smith and Deon Petty.

RECOMMENDATIONS

The court recommends the defendant's placement at a federal detention facility close to his personal residence.

CUSTODY

The defendant is to voluntarily surrender at the institution designated by the Bureau of Prisons as notified by the U.S. Probation Office.

CONDITIONS OF SUPERVISED RELEASE/PROBATION

- The defendant does not object to the conditions of supervised release as set forth in the presentence investigation report.
- The defendant waives reading of the conditions of supervised release.
- Mandatory Conditions of Supervision** imposed.
- The Court adopts the **Standard Conditions of Supervision** set forth in the presentence investigation report without change.
- The Court adopts the **Special Conditions of Supervision** set forth in the presentence investigation report without change.